



General Assembly

Raised Bill No. 5298

February Session, 2006

LCO No. **455**

* HB05298BA 030906 *

Referred to Committee on Banks

Introduced by:
(BA)

***AN ACT MAKING TECHNICAL REVISIONS TO VARIOUS STATUTES
RELATIVE TO THE BANKING AND SECURITIES LAWS OF
CONNECTICUT.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subdivision (1) of subsection (d) of section 36a-65 of the
2 2006 supplement to the general statutes is repealed and the following
3 is substituted in lieu thereof (*Effective from passage*):

4 (d) (1) The fee for investigating and processing each application is as
5 follows:

6 (A) Establishment of (i) a branch under subdivision (1) of subsection
7 (b) of section 36a-145, as amended, two thousand dollars; (ii) a mobile
8 branch under subdivision (1) of subsection (d) of section 36a-145, as
9 amended, one thousand five hundred dollars; (iii) a limited branch
10 under subdivision (1) of subsection (c) of section 36a-145, as amended,
11 one thousand five hundred dollars; (iv) a special need limited branch
12 under subdivision (4) of subsection (c) of section 36a-145, as amended,
13 five hundred dollars; (v) an out-of-state branch under subsection (j) of

14 section 36a-145, as amended, a reasonable fee not to exceed two
 15 thousand dollars from which any fees paid to a state other than this
 16 state or to a foreign country in connection with the establishment shall
 17 be deducted; and (vi) an out-of-state limited or mobile branch under
 18 subsection [(i)] (j) of section 36a-145, as amended, a reasonable fee not
 19 to exceed one thousand five hundred dollars from which any fees paid
 20 to a state other than this state or to a foreign country in connection
 21 with the establishment shall be deducted.

22 (B) Sale of (i) a branch under subsection (i) of section 36a-145, as
 23 amended, two thousand dollars, except there shall be no fee for the
 24 sale of a branch of a Connecticut bank to another Connecticut bank or
 25 to a Connecticut credit union; and (ii) a limited branch, including a
 26 special need limited branch or mobile branch under subsection (i) of
 27 section 36a-145, as amended, a fee not to exceed one thousand five
 28 hundred dollars.

29 (C) Relocation of (i) a main office of a Connecticut bank under
 30 subsection (a) of section 36a-81, two thousand dollars; and (ii) a branch
 31 or a limited branch under subsection (g) of section 36a-145, as
 32 amended, five hundred dollars.

33 (D) Conversions from (i) a branch to a limited branch under
 34 subdivision (3) of subsection (c) of section 36a-145, as amended; and
 35 (ii) a limited branch to a branch under subdivision (3) of subsection (b)
 36 of section 36a-145, as amended, five hundred dollars.

37 (E) Merger or consolidation involving a Connecticut bank under
 38 section 36a-125 or subsection (a) of section 36a-126, two thousand five
 39 hundred dollars if two institutions are involved and five thousand
 40 dollars if three or more institutions are involved.

41 (F) Acquisition of assets or business under section 36a-210, two
 42 thousand five hundred dollars.

43 (G) Organization of a holding company under section 36a-181, two
 44 thousand five hundred dollars.

45 (H) Organization of any Connecticut bank under section 36a-70, as
 46 amended, fifteen thousand dollars, except no fee shall be required for
 47 the organization of an interim Connecticut bank.

48 (I) Reorganization of a mutual savings bank or mutual savings and
 49 loan association into a mutual holding company under section 36a-192,
 50 five thousand dollars.

51 (J) Conversions under (i) sections 36a-135 to 36a-138, inclusive, five
 52 thousand dollars; (ii) sections 36a-139, 36a-139a and 36a-469c, two
 53 thousand five hundred dollars; and (iii) section 36a-139b, fifteen
 54 thousand dollars.

55 (K) Acquiring, altering or improving real estate for present or future
 56 use in the business of the bank or purchasing real estate adjoining any
 57 parcel of real estate owned by the bank under subdivision (33) of
 58 subsection (a) of section 36a-250, as amended, five hundred dollars,
 59 except that no fee shall be charged for such application if it is filed in
 60 connection with an application under subdivision (1) of subsection (b)
 61 or (c) of section 36a-145, as amended.

62 (L) Investigation and processing an interstate banking transaction
 63 application filed under section 36a-411 or 36a-412, two thousand five
 64 hundred dollars, unless the transaction otherwise requires an
 65 investigation and processing fee under this section.

66 Sec. 2. Subdivision (4) of section 36b-3 of the 2006 supplement to the
 67 general statutes is repealed and the following is substituted in lieu
 68 thereof (*Effective from passage*):

69 (4) "Branch office" means any location other than the main office at
 70 which an agent or investment adviser agent regularly conducts
 71 business on behalf of a broker-dealer or investment adviser, or any
 72 location that is held out as such, excluding: (A) Any location that is
 73 established solely for customer service or back-office-type functions
 74 where no sales activities are conducted and that is not held out to the
 75 public as a branch office, (B) any location that is the agent's or

76 investment adviser agent's primary residence, provided (i) only agents
 77 or investment adviser agents who reside at the location and are
 78 members of the same immediate family conduct business at the
 79 location, (ii) the location is not held out to the public as an office and
 80 the agent or investment adviser agent does not meet with customers at
 81 the location, (iii) neither customer funds nor securities are handled at
 82 that location, (iv) the agent or investment adviser agent is assigned to a
 83 designated branch office, and such designated branch office is reflected
 84 on all business cards, stationery, advertisements and other
 85 communications to the public by such agent or investment adviser
 86 agent, (v) the agent's or investment adviser agent's correspondence
 87 and communications with the public are subject to the supervision of
 88 the broker-dealer or investment adviser with which such agent or
 89 investment adviser agent is associated, (vi) electronic communications,
 90 including e-mail, are made through the electronic system of the broker-
 91 dealer or investment adviser, (vii) all orders for securities are entered
 92 through the designated branch office or an electronic system
 93 established by a broker-dealer that is reviewable at the branch office,
 94 (viii) written supervisory procedures pertaining to supervision of
 95 activities conducted at the residence are maintained by the broker-
 96 dealer or investment adviser, and (ix) a list of the residence locations is
 97 maintained by the broker-dealer or investment adviser, (C) any
 98 location, other than a primary residence, that is used for securities or
 99 investment advisory business for less than thirty business days in any
 100 one calendar year, provided the broker-dealer or investment adviser
 101 complies with the provisions of subparagraph (B)(ii), (iii), (iv), (v), (vi),
 102 (vii) [J] and (viii) of this subdivision, (D) any office of convenience,
 103 where associated persons occasionally and exclusively by appointment
 104 meet with customers, which is not held out to the public as an office,
 105 (E) any location that is used primarily to engage in nonsecurities
 106 activities and from which the agent or investment adviser agent effects
 107 no more than twenty-five securities transactions in any one calendar
 108 year, provided any advertisement or sales literature identifying such
 109 location also sets forth the address and telephone number of the
 110 location from which the agent or investment adviser agent conducting

111 business at the nonbranch locations is directly supervised, (F) the floor
112 of a registered national securities exchange where a broker-dealer
113 conducts a direct access business with public customers, (G) a
114 temporary location established in response to the implementation of a
115 business continuity plan, or (H) any other location not within the
116 intent of this subdivision as the commissioner may determine. As used
117 in this subdivision, the term "business day" does not include any
118 partial business day, provided the agent or investment adviser agent
119 spends at least four hours on such day at the designated branch office
120 of such agent or investment adviser agent during the hours that such
121 office is normally open for business.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>from passage</i>	36a-65(d)(1)
Sec. 2	<i>from passage</i>	36b-3(4)

BA *Joint Favorable*